

The Honorable Daniel Kildee
Member, U.S. House of Representatives
Washington, DC 20515-1313

Dear Congressman Kildee:

Thank you for your September 9, 2015 letter regarding drinking water quality in Flint and the June 24, 2015 U. S. Environmental Protection Agency memorandum from Miguel A. Del Toral to Thomas Poy. EPA shares your concern about the quality of the drinking water in Flint. Our focus has been to work with the Michigan Department of Environmental Quality (MDEQ) and the City of Flint so they can provide clean and safe water to its residents.

Mr. Del Toral's June 24, 2015 internal memo summarizing the activities conducted in response to a Flint resident's request for help with high lead levels and expressing his concerns about Flint's drinking water was sent to Mr. Poy. Mr. Del Toral's statements in the memorandum regarding concerns about lead levels in Flint are his professional judgments based on the facts that Flint has not provided corrosion control treatment after switching source waters and that EPA sample results from some homes in Flint found high levels of lead. In addition, the last two rounds of compliance monitoring conducted by Flint, while below the lead action level of 15 micrograms per liter (ug/L), had lead concentrations trending higher.

The lead compliance goal under the Lead and Copper Rule (LCR) is to not exceed the lead action level of 15 ug/L in at least 90% of the samples taken. This is determined by comparing the 90th percentile concentration (e.g., the 90th highest value out of 100 results) to the lead action level. The last two rounds of compliance monitoring that the MDEQ had Flint conduct had the 90th percentile concentrations below the lead action level. The round of samples taken from July 2014 to December 2014 had a 90th percentile value of 6 ug/L. The last round of samples taken from January 2015 to June 2015 had a 90th percentile value of 11 ug/L. Public notice is provided when the action level is exceeded.

Even if public notice is not required, the LCR requires that homeowners whose water was sampled for lead by the water system receive a copy of their individual lead results, including an explanation of health effects and steps the consumer can take to reduce lead exposure from drinking water. EPA and the Centers for Disease Control and Prevention believe there is no safe level of lead exposure. Lead is harmful to health, especially for children. While paint, dust, and soil are the most common sources of lead, drinking water can contribute 20 to 40 percent of an

infant's lead exposure. Lead is typically not found in a utility's source water. It comes from pipes and fixtures, some of which is the owned by the homeowner. Therefore, it is difficult to say with certainty what the lead levels are in each home. The goal is to remove as much lead from drinking water as possible.

EPA promotes a number of options to reduce the amount of lead in the drinking water.

- Have your water tested. The water system will test drinking water for residents upon request.
- Be aware of any work that could disturb your lead service line, such as water main replacement, lead service line repair or replacement of part of the service line.
- Run water before use if it has not been used for several hours. The amount of time to run the water will depend on whether the home has a lead service line or not.
- Use only cold water for drinking, cooking, and preparing baby formula.
- Purchase a water filter that is certified to remove "total lead."
- On a regular basis clean and remove any debris from faucet aerators to clear out any particles of lead that may become trapped in the aerator.
- Purchase lead-free faucets and plumbing components.
- Remove the entire lead service line.

The compliance monitoring conducted by Flint also shows that they do not have optimized corrosion control and they should implement treatment as soon as possible. To help with the implementation of corrosion control treatment, EPA has offered and Flint has accepted technical assistance from EPA's Office of Research and Development experts on lead and water distribution systems to compliment the expertise of MDEQ field staff.

In addition to assisting on needed treatment for Flint's water system, EPA is currently evaluating Flint's compliance with the LCR. We are working with our legal counsel to confirm our interpretation of the LCR regulations regarding maintaining optimum corrosion control treatment. Also, EPA is reviewing the latest round of lead compliance monitoring conducted by Flint to see if all of the relevant samples have been included in the 90th percentile compliance calculation. We will provide you with the results of our evaluation when it is completed.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Denise Fortin, the Region 5 Congressional Liaison, at (312) 886-3000.

Sincerely,

Susan Hedman
Regional Administrator

cc: Catherine Davis – OCIR-CA-WPTT
Office of Water

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